

Message Text

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ACTION SCSE-00

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FM AMEMBASSY MANAMA BAHRAIN

TO SECSTATE WASHINGTON DC IMMEDIATE 2301

UNCLAS MANAMA 0838

FOR DIRECTOR SCA/SCS

E.O. 11652: N/A

TAGS : CASC, BA

SUBJECT : SERLE V. YOUNES CHILD CUSTODY CASE

REFERENCE : (A) MANAMA 0837

(B) STATE 171629

1. MRS. SERLE'S U.S. PASSPORT CURRENTLY BEING HELD BY BAHRAIN IMMIGRATION AUTHORITIES AS RESULT COURT ORDER OBTAINED BY MR. YOUNES. MRS. SERLE'S PASSPORT HAS BEEN IN HANDS IMMIGRATION SINCE APPROXIMATELY 13 JULY 1975. (MR. SERLE HAS HIS PASSPORT AND MRS. SERLE HAS IN HER POSSESSION U.S. PASSPORT ISSUED TO HER DAUGHTER IN NAME OF KRISTIAN YOUNES.) MR. YOUNES SIMILARLY BLOCKED FROM DEPARTING BAHRAIN AS RESULT LEGAL ACTION INSTITUTED BY SERLES.

2. MRS. SERLE HAS REQUESTED EMBASSY ISSUE HER NEW PASSPORT. WE HAVE REVIEWED INSTRUCTIONS IN 8 FAM 254, BUT REQUIRE DEPARTMENT INSTRUCTIONS ON WHETHER ISSUE NEW PASSPORT TO MRS. SERLE, WHOSE DOCUMENTATION NOW IN HANDS BAHRAINI AUTHORITIES.

3. PLEASE NOTE GOB HAS NO INTEREST IN BLOCKING DEPARTURE OF MRS. SERLE PROVIDING SHE IS NOT TRAVELING WITH CHILD IN DEFIANCE COURT ORDER. WE ARE CONFIDENT WE COULD ARRANGE ADMINISTRATIVELY RELEASE OF HER PASSPORT PROVIDED SHE WERE ACCOMPANIED THROUGHOUT DEPARTURE BY POLICE SUPERVISION IN UNCLASSIFIED

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ORDER TO INSURE SHE DID NOT ATTEMPT TO VIOLATE COURT ORDER

WHICH, IN EFFECT, PROHIBITS CHILD'S DEPARTURE UNTIL PROCEEDINGS WHICH MRS. SERLE AND MR. YOUNES, ON THEIR OWN INITIATIVES, ARE INSTIGATING IN BAHRAIN'S COURTS. MRS. SERLE, HOWEVER, HAS INDICATED NO DESIRE TO DEPART BAHRAIN WITHOUT THE CHILD. PLEASE NOTE FOREIGN MINISTER HAS INFORMED AMBASSADOR THAT IT WOULD BE, AT THIS STAGE, "IMPRUDENT" FOR MRS. SERLE OR MR. YOUNES TO ATTEMPT TO DEPART BAHRAIN WITH THE CHILD IN DEFIANCE OF BAHRAINI COURT ORDER.

4. IN VIEW OF ABOVE SITUATION, WE CAN FATHOM NO PURPOSE BEHIND MRS. SERLE'S REQUEST FOR A NEW PASSPORT EXCEPT A DESIRE TO ENHANCE CHANCES OF HER DEPARTING BAHRAIN WITH THE CHILD PRIOR TO THE END OF LITIGATION. FOR THIS REASON, EMBASSY'S ISSUING HER A NEW PASSPORT COULD BE INTERPRETED BOTH HERE, AND BY U.S. CITIZEN YOUNES IN SUBSEQUENT LITIGATION IN U.S., AS EMBASSY AND DEPARTMENT COMPLICITY IN FACILITATING HER DEPARTURE. WE NEED DEPARTMENT INSTRUCTIONS IMMEDIATELY AS TO HOW WE SHOULD RESPOND TO MRS. SERLE'S REQUEST. IF WE ARE INSTRUCTED TO ISSUE HER A NEW PASSPORT, SHOULD WE INFORM GOB OF OUR ACTION PRIOR TO THE FACT?

5. REQUEST REPLY SOONEST VIA NIACT IMMEDIATE.
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